



UNITED STATES PATENT AND TRADEMARK OFFICE

MN

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,365	09/15/2003	Joerg Beringer	09282.0014-00000	1645
22852	7590	04/30/2007		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER LONG, ANDREA NATAE	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 04/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/663,365	BERINGER ET AL.
	Examiner	Art Unit
	Andrea N. Long	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 February 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05/23/2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

Applicant's Response

1. Claims 1-18 are pending in the present application. Applicant amended the Title of the Invention and claims 1, 10, and 11-17. It is noted by the Applicant, that the U.S. applications listed on the 1449 Form are related by priority to the present application and that it is not necessary to amend the specification to list the cited U.S. patent application. The objections to the informalities in the Drawings, Specification, and Claims have been corrected and are moot. Applicant traverses the rejection of claims 1-18 under 35 U.S.C. §102(e).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Coiera et al. (Published April 21, 2005, claiming priority of PCT filed November 20, 2002) herein after “Coiera”.**

As to independent claim 1, Coiera discloses a method comprising defining a set of attributes associated with at least one resource (p. 3 paragraph [0045] through [0053] Fig. 6 → Coiera discloses that the profile consists of attributes such as date, duration, etc, which is used to

search for resources which he calls sources); *associating a set of constraints with the attributes, the constraints corresponding to a context* (p. 3 paragraph [0037][0055] Fig. 6 → Coiera uses parameters as constraints for the attributes in a profile. Coiera further discloses that the search is dependent on the profile which includes the constraints for the attributes, once that profile is obtained then the context “data within the database to be searched” corresponding to the profile) and being defined by a resource template (Fig. 6, p. 3 paragraph [0045] → Coiera uses a graphical user interface as the resource template. In accordance with the Applicant’s specification the resource template may be represented by a graphical object on a computer display device); *determining that a resource matches the set of attributes and constraints* (p. 4 paragraph [0062] → Coiera discloses a search engine which uses the profile with which attributes and parameters are stored); and displaying the resource as a selectable resource graphical object on a user device (p. 4 paragraph [0063], [0064] → Coiera discloses that the results are displayed by the interface).

As to dependent claim 2, Coiera teaches wherein *defining the set of attributes comprises receiving information that defines an object class of the at least one resource* (p. 3 paragraph [0041], Fig 5 reference character 104 → Coiera discloses using a profile window and an advanced window search which allows a user to select searches which relate to a specific profile of attributes and parameters).

As to dependent claim 3, Coiera teaches *receiving information that defines an attribute associated with the object class* (p. 3 paragraph [0045] through [0053], Fig. 6 → Coiera discloses

that the profile consists of attributes such as date, duration, etc, which is used to search for resources which he calls sources).

As to dependent claim 4, Coiera teaches *receiving information from a user device with a graphical display having an active area for the input of the information* (p.3 paragraph [0045], Fig 6 → Coiera discloses by his figures the fields that have user input which would be inputted with a keyboard or selected with a mouse).

As to dependent claim 5, Coiera teaches *displaying a selectable template graphical object on a graphical display device prior to the determining that a resource matches, the template graphical object representing an active area associated with the defined resource* (Fig. 7 reference characters 210, 211 → Coiera discloses in the figure the user input fields which are used to collect search criteria from the user before implementing a search).

As to dependent claim 6, Coiera teaches *defining the set of attributes comprises determining the set of attributes based on a profile of a user's interaction with a user device* (p.3 paragraphs [0045], [0054] → Coiera discloses the attributes correspond to a profile which can be saved for future uses and that the user can search keywords which are entered or selected by the user).

As to dependent claim 7, the Examiner is interpreting, *receiving a selection of the resource template*, as receiving a selection from the resource template being the results from the

search of the resource template, and *executing an application associated with the found resource*, which is taught by Coiera (p. 4 paragraphs [0063], [0064] → Coiera discloses displaying the search results in which the results may include a link which would execute the opening if the full document).

As to dependent claim 8, the applicant discloses *the resource templates may provide assistance within a guided procedure by limiting the set of proposed values to the pre-defined constraints*. Coiera teaches *executing an application comprises executing the application with a guided procedure workflow* (Fig. 5 reference characters 100 & 104, Fig 6 reference characters 108 & 200 → Coiera discloses the guided procedure of limiting the constraints of an attribute for example “source” In Fig 6 has limited constraints for selection by the user).

As to dependent claim 9, Coiera teaches *wherein the resource comprises a datum* (p. 3 paragraphs [0063], [0064] → Coiera discloses that more detail information can be retrieved by selecting a link).

As to independent claim 10, Coiera discloses an *article comprising a machine-readable medium including machine-executable instruction* (p. 2 paragraphs [0033], [0034] → Coiera discloses a computing system to implement his searching system) *operative to cause a machine to define a set of attributes associated with at least one resource* (p. 3 paragraph [0045] through [0053] Fig. 6 → Coiera discloses that the profile consists of attributes such as date, duration, etc, which is used to search for resources which he calls sources); *associate a set of constraints with*

the attributes, the constraints corresponding to a context (p. 3 paragraph [0037] [0055] Fig. 6 → Coiera uses parameters as constraints for the attributes in a profile. Coiera further discloses that the search is dependent on the profile which includes the constraints for the attributes, once that profile is obtained then the context “data within the database to be searched” corresponding to the profile) *and being defined by a resource template* (Fig. 6, p. 3 paragraph [0045] → Coiera uses a graphical user interface as the resource template. In accordance with the Applicant’s specification the resource template may be represented by a graphical object on a computer display device); *determine that a resource matches the set of attributes and constraints* (p.4 paragraph [0062] → Coiera discloses a search engine which uses the profile with which attributes and parameters are stored); *and display the resource as a selectable resource graphical object on a user device* (p. 4 paragraph [0063], [0064] → Coiera discloses that the results are displayed by the interface).

As to dependent claim 11, Coiera teaches wherein *instructions operative to cause a machine to define the set of attributes comprises instructions operative to cause a machine to receive information that defines an object class of the at least one resource* (p. 3 paragraph [0041], Fig 5 reference character 104 → Coiera discloses using a profile window and an advanced window search which allows a user to select searches which relate to a specific profile of attributes and parameters).

As to dependent claim 12, Coiera teaches *instructions operative to cause a machine to receive information that defines an attribute associated with the object class* (p. 3 paragraph

[0045] through [0053], Fig. 6 → Coiera discloses that the profile consists of attributes such as date, duration, etc, which is used to search for resources which he calls sources).

As to dependent claim 13, Coiera teaches *instructions operative to cause a machine to receive information comprises instructions operative to cause a machine to receive information from a user device with a graphical display having an active area for the input of the information* (p.3 paragraph [0045], Fig 6 → Coiera discloses by his figures the fields that have user input which would be inputted with a keyboard or selected with a mouse).

As to dependent claim 14, Coiera teaches *instructions operative to cause a machine to display a selectable template graphical object on a graphical display device prior to the determining that a resource matches, the template graphical object representing an active area associated with the defined resource* (Fig. 7 reference characters 210, 211 → Coiera discloses in the figure the user input fields which are used to collect search criteria from the user before implementing a search).

As to dependent claim 15, Coiera teaches *instructions operative to cause a machine to define the set of attributes comprises instructions operative to cause a machine to determine the set of attributes based on a profile of a user's interaction with a user device* (p.3 paragraphs [0045], [0054] → Coiera discloses the attributes correspond to a profile which can be saved for future uses and that the user can search keywords which are entered or selected by the user).

As to dependent claim 16, Coiera teaches *instructions operative to cause a machine to receive a selection of the resource template, as receiving a selection from the resource template being the results from the search of the resource template, and executing an application associated with the found resource* (p. 4 paragraphs [0063], [0064] → Coiera discloses displaying the search results in which the results may include a link which would execute the opening if the full document).

As to dependent claim 17, Coiera teaches *instructions operative to cause a machine to execute an application comprises instructions operative to cause a machine to execute the application with a guided procedure workflow* (Fig. 5 reference characters 100 & 104, Fig 6 reference characters 108 & 200 → Coiera discloses the guided procedure of limiting the constraints of an attribute for example “source” In Fig 6 has limited constraints for selection by the user). Note the discussion above in claim 8 about defining a guided procedure.

As to dependent claim 18, Coiera teaches *wherein the resource comprises a datum* (p. 3 paragraphs [0063], [0064] → Coiera discloses that more detail information can be retrieved by selecting a link).

Response to Arguments

4. Applicant's arguments filed 2/13/2007 have been fully considered but they are not persuasive.

Applicant argues that Coiera does not teach the limitation “associating a set of constraints with the attributes, the constraints corresponding to a context and being defined by a resource template and determining that a resource matches the set of attributes and constraints” as recited in claim 1 and similarly recited in claim 10.

The Examiner respectfully disagrees.

Coiera teaches attributes of a profile having corresponding parameters. The parameters are merely constraints of the attributes. Coiera further teaches that the attributes and the corresponding constraints are used to allow a user to locate a relevant source by input through a graphical user interface (GUI). In the Applicant’s specification, a graphical object can be used to represent a resource template, which is reasonable to one skilled in the art can include a GUI. The information obtained from the constraints of the attributes is used to locate a relevant source located within a database. A database is well known in the art to store data. Coiera uses a resource template, which includes the attributes and corresponding restraints to define returning matches of a user’s preference. Therefore, Coiera teaches all the limitations of the presently pending independent claims.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 2176

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
04/16/2007

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER